



Gower College Swansea
Coleg Gŵyr Abertawe

5th July 2013

William Powell AM
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear Mr Powell

Petitions Committee: hourly paid and fixed term contracts

I am writing in response to your letter to Mark Jones, Principal, of 18 June stating that the Petitions Committee is seeking information on the use of hourly paid and fixed term contracts in the further education (FE) sector.

ColegauCymru is the national organisation representing the 17 FE colleges and two FE institutions in Wales. ColegauCymru is currently negotiating a national contract for staff employed in FE colleges.

The latest figures published by the Welsh Government on staff contracts show that in 2008/09, there were 16,810 individual staff contracts. 57% of staff employed by FE institutions were permanent, 21% fixed term and 22% hourly paid/casual staff.¹

Between 1998/99 to 2009/10, the numbers of staff increased by 9% with full-time staff increasing by 26% and that of part-time decreasing by 2%. Figures are not available for fixed term contracts. The trend in some colleges has been to have fewer hourly paid part-time staff as colleges have converted hourly paid part-time contracts into fractional contracts.

In order to be flexible and responsive to external demand, colleges have to employ part-time hourly paid staff, particularly lecturers. Post-16 education is not compulsory. Colleges are not able to predict accurately the number of students they will enrol or the mode of attendance. Numbers of students, particularly part-time students, fluctuate from year to year. Students who have decided to join the college change their minds and do not enrol at the beginning of term. In some cases this figure can be one-third of potential enrolments. It would not make financial sense to employ part-time lecturers with fixed weekly hours before students have formally enrolled.

¹ Staff at Further Education Institutions in Wales., 2008/09 SDR 130/2010, 26 August 2010 Welsh Government



In 2011/12, 191,185 learners attended colleges. Of these, around 76% of learners attended part-time² and around three-quarters were adults aged over 19. Predicting part-time numbers is particularly difficult.

Colleges have to respond to requests from local businesses for courses or consultancy, often at short notice. There are also Welsh Government initiatives such as ReACT in which a person recently unemployed can seek training, often at a few days' notice.

All this means that colleges have to employ flexible part-time staff in order to respond to external demand and cope with uncertainty. Colleges will often not be able to inform lecturers of their teaching load until the start of term, once the enrolment cycle has been completed and students have turned up. Once the lecturer is informed of his/her teaching load, the number of hours will usually stay constant throughout the year unless the class becomes unviable. The lecturer may be invited to add to their teaching during the year but this will be with the agreement of the lecturer. Many staff in Further Education prefer to work in a flexible way.

There has been recent publicity about catering and cleaning companies employing people on zero hour contracts in which the individual does not know from one week to the other what if any hours they will be doing. This does not apply to further education.

The common contract negotiations have considered zero hours and Version 26 of the common contract includes these words:

D. "LECTURER PART-TIME HOURLY PAID

In view of the nature of your employment your hours may vary according to the academic requirements of the College. However the College will provide you with a minimum of [hours] of teaching per [week, term, and year]. This minimum will be reviewed on an annual basis and may be subject to change depending on the requirements of the college."

This clause would have the effect of ensuring that a lecturer is employed on a minimum hours contract.

In respect to fixed term contracts, colleges are often in receipt of funding for short term projects. These may be funded, for example, by the Welsh Government or the European Community. Staff on these projects will be employed on fixed term contracts for the duration of these externally funded projects. No guarantees can be given on employment once external funding has ceased.

² Further Education, work-based learning and community learning in Wales 2011/12 SDR 48/2013 26 March 2013, Welsh Government

The following are the specific answers to the questions in your letter.

1. Gower College Swansea does use Zero hours contracts and fixed term contracts.
2. a) 69 hourly paid part-time lecturers delivering less than 3 hours per week are employed on zero hours contracts. 68 support staff are employed as casual workers.

b) We have total of 225 staff (101 lecturers and 124 Support Staff) currently employed on Fixed Term contracts.
3. a) 6% of our teaching staff are employed on contract where their teaching hours will range from 0-3 hours per week; 6% of our support staff are regarded as "casual" workers, in both cases there is no "mutuality of obligation" i.e. there is no obligation for the College to offer work or for the individual to undertake work.

b) 19.75% of our total workforce are employed on fixed term contracts, this is split as follows: 8.8% of our teaching staff are employed on fixed term contracts; 10.8% of our support staff are employed on fixed term contracts
4. The number of zero hours contracts has neither increased or decreased over the last 2 years.
5. The use of fixed term contracts has increased over the past two years due to uncertain growth prospects and uncertainty over Welsh Government funding within FE, and changing Post 19 skills agenda.
6. This will depend on whether the National Contract is agreed and implemented.
7. This will depend on decisions made by the Welsh Government on FE funding, currently we anticipate needing to be able to keep flexibility within our workforce due to policy changes within the WG.
8. At Gower College Swansea, Zero hours contracts are only in use where lecturers are only engaged to teach *up to 3 hours per week*. Usually these staff have other full-time employment and often they contribute to our Part-time adult evening provision. Such provision varies from one academic year to the next, according to public demand. We therefore cannot guarantee a minimum number of teaching hours. If staff however are likely to teach more

than 3 hours per week, they are contracted on a specified contract which provides flexibility to teach between 4 and 12 hours per week.

9. It is essential to keep flexible contracts of employment in operation within the FE sector in order to remain responsive to changes in student demand, and changes in policy and funding. We endeavour however to use both Zero hours and Fixed Term contracts both responsibly and proportionately with the challenges we face as an Institution. On an annual basis, through our business planning cycle we review the terms and conditions on which staff are contracted, and over the past two years we have offered substantive, salaried teaching contracts to more than 37 lecturers and we have also secured a significant number of staff on permanent contracts.

I trust that this provides you with sufficient information to enable the Petitions Committee to fully consider this issue.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nicola Perkins', with a long horizontal stroke extending to the right.

Nicola Perkins
Head of HR

cc: Mark Jones